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SIPDIS

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TAGS: [PGOV](#) [PREL](#) [MOPS](#) [IZ](#)
SUBJECT: AMBASSADOR DISCUSSES SFA/PROTOCOL WITH VP
AL-HASHIMI

REF: BAGHDAD 01987

Classified By: Ambassador Ryan C. Crocker for reasons 1.4(b) and (d)

¶1. (C) In a brief July 14 meeting, Ambassador Crocker outlined for Vice President Tariq Hashimi the U.S. approach to the Strategic Framework Agreement and protocol to be taken up by the Executive Committee that evening. Ambassador Crocker said that on July 12 he and PM Maliki had discussed the issue and had agreed to focus on completing the Strategic Framework Agreement for two reasons: (1) because we need an umbrella agreement that defines the principles for the multi-faceted U.S.-Iraq relationship; and (2) because we have already made a great deal of progress on the agreement and need to finish it as soon as possible. Then we need to hammer out a protocol -- a one-page agreement -- that permits, on a temporary basis, our armed forces authority to operate after the expiration of UNSCR 1790 at the end of the year. Ambassador said that we wanted to underscore the temporary nature of the protocol and that we are ready to discuss the time horizon and coordination mechanisms that Prime Minister Maliki has deemed important in connection with such a protocol.

¶2. (C) Clarifying the purpose of the protocol further, Ambassador Crocker said that the short protocol will cover the big issues -- authorities, detentions and jurisdiction. That will provide us with the legal basis required for our combat troops to remain here after December 31. Issues, such as those included in Dr. Hamoud's longer draft protocol -- entry and exit, drivers licenses -- can be better handled in an MOU signed between military commanders. Together the Strategic Framework Agreement and the short protocol will permit us to work on a SOFA in a more relaxed way. Given the amount of public attention the subject has received lately, the protocol will allow Iraqis to see that what the country will be getting is not another UN Security Council Resolution in another form, but a different approach. Ambassador Crocker said that traditionally it takes two years to negotiate a SOFA agreement though we can do it in less time. That said, we still have a great deal of work to do on a SOFA, which is why the temporary protocol will be needed until the SOFA is completed. Having reached a broad agreement on how to proceed, Ambassador Crocker said, the Prime Minister and he hoped the Executive Council would discuss and bless that agreement at today's session.

¶3. (C) Hashimi said he hoped that in the Executive Council meeting, the Prime Minister would provide an indication of what is envisioned for the results of the negotiations. Hashimi asked whether the Prime Minister had indicated that the Strategic Framework Agreement and short protocol were to be submitted to the Council of Representatives (CoR) for approval. Ambassador Crocker said that the Prime Minister's feeling was that it would have to be submitted for CoR consideration.

Return of Tawafuq Ministers, Provincial Elections Law

¶4. (C) Ambassador Crocker asked whether there has been any progress on the nominations of Tawafuq candidates for ministerial portfolios. Asked by Hashimi to relate the substance of his conversation with the Prime Minister on the subject, Ambassador Crocker said he had had told the Prime Minister he understood there had been a list of candidates that the three coalitions had agreed upon, whereupon the Prime Minister had replied to Ambassador Crocker that he had received to date only a letter from bloc leader Khalaf Alyan saying that he did not agree on the list. An unhappy Hashimi said that he had in fact forwarded several letters to the Prime Minister and that he was becoming fed up with all the politics being played. He said that Vice President Abdel Mahdi knew that he had submitted the letters in question. Noting that the Tawafuq nominations were to be on that day's EC agenda, Ambassador suggested that Hashimi attend armed with the various letters in question. Ambassador Crocker said also he hoped that Tawafuq would ensure full attendance at the following day's (July 15) legislative session when the Provincial Elections Law was to be taken up so that consideration and passage of the law might survive a few walkouts and still maintain a quorum. Hashimi replied "Insh'Allah" and instructed one of his political advisers to call the IIP whip to ensure bloc attendance at the session.

¶5. (SBU) The Ambassador was accompanied at the meeting by NSC Senior Director Brett McGurk and DASD Mark Kimmitt. Hashimi was joined by Political Advisers Khalil al-Azzawi and Saif Abdul Rahman.
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